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Debtor-in-possession Richard A. Ensminger

**UNITED STATES BANKRUPTCY COURT  
IN THE EASTERN DISTRICT OF CALIFORNIA**

**SACRAMENTO DIVISION**

In re: RICHARD A. ENSMINGER,	) Case No. 13-35297
	) Chp. 11
	)
Debtor in Possession	) DC No: ASW-1 [Wells Fargo Motion]
	) DC No: RAE-3 [Ensminger Counter-motion]
	)
	) Date: July 9, 2014
	) Time: 10:00 a.m.
	) Place: U.S. Bankruptcy Court
	) Robert T. Matsui United States Courthouse
	) 501 I Street, Sacramento, CA 95814
	) Courtroom 35, Department C
	) Judge: Hon. Christopher M. Klein
	)

**NOTICE OF HEARING ON DEBTORS COUNTER-MOTION TO "WELLS FARGO BANK,  
N.A. AS TRUSTEE FOR THE HOLDERS OF THE MERRILL LYNCH MORTGAGE  
INVESTORS TRUST, MORTGAGE LOAN ASSET BACKED CERTIFICATES, SERIES 2006-  
WMC1" MOTION FOR NEW TRIAL UNDER BANKRUPTCY RULE 9023 OR  
ALTERNATIVELY RELIEF FROM ORDER GRANTING MOTION TO VALUE COLLATERAL  
UNDER RULE 9024**

**PLEASE TAKE NOTICE** that Debtor-in-possession Richard A. Ensminger (the "Debtor") has filed a Counter-Motion to Movants Motion for a New Trial or Alternatively Relief from Order Granting Motion to Value Collateral at the place, time, and date specified above.

1 Debtor believes the counter-motion and motions are inter-related and should be consolidated for  
2 judicial economy.

3 **NOTICE IS FURTHER GIVEN** that a hearing on the Counter-Motion shall be  
4 conducted on **July 9, 2014 at 10:00 a.m.**, or as soon thereafter as the matter may be heard in  
5 **Courtroom 35 of the Sacramento Division of the United States Bankruptcy Court in and for**  
6 **the Eastern District of California, located at 501 I Street, Sacramento, CA 95814, before**  
7 **the Honorable Christopher M. Klein, United States Bankruptcy Judge.**

8 This Notice is supported by the concurrently served and filed Opposition and Counter-  
9 Motion that includes a Memorandum of Points and Authorities, Request for Judicial Notice,  
10 Declaration of Richard Ensminger, Debtors Motion to Disallow Claim 5, the Evidentiary  
11 Objections to Proof of Claim 5 and the Declaration of Larry E. Johnson, the Motion for  
12 Sanctions Pursuant to F.R.B.P. Rule § 3001 and 11 U.S.C.A. § 105, and the remainder of the  
13 pleadings, files, and record in this case. It is recommended that you review all pleadings filed in  
14 support of the Debtors Counter-Motion. All of these pleadings may be obtained on-line at  
15 <http://www.caeb.uscourts.gov>, or from the undersigned upon written request.

16 **Your rights may be affected. You should read these papers carefully and discuss**  
17 **them with your attorney, if you have one in this bankruptcy case. If you do not have an**  
18 **attorney, you may wish to consult one.**

19 **NOTICE IS FURTHER GIVEN** that, pursuant to Local Rule 9014-1 any countermotion  
20 or other motion related to the general subject matter of the original motion set for hearing  
21 pursuant to this Local Rule may be filed and served no later than the time opposition to the  
22 original motion is required to be filed. In the event a counter or related motion is filed by the  
23 responding party, the judge may continue the hearing on the original and all related motions so  
24 as to give the responding and moving parties reasonable opportunity to serve and file oppositions  
25 and replies to all pending motions. No written opposition need be filed to any related matter  
26 unless the matter is continued by the Court. Such written opposition, if any, must be filed with  
27 the Bankruptcy Court, in accordance with its local rules, that is located at the address below:

28 United States Bankruptcy Court  
Eastern District of California  
501 I Street

Sacramento, CA 95814

The opposition must also be served on the undersigned:

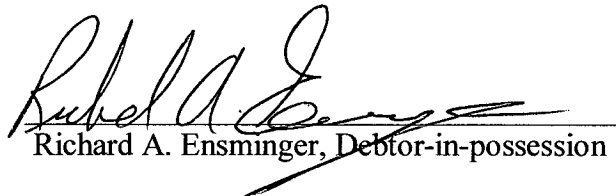
Richard A. Ensminger  
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The Court permits telephone appearances, and in order to appear by phone you must contact Court Call at (888) 882-6878, and you should do so not later than forty-eight hours before the hearing. Court Call charges a fee for telephone appearances.

Not all information regarding the Counter-Motion or the above-captioned bankruptcy case is set forth in this notice, and interested parties are advised to review the Court's file. Further information is available at the Court's website, <http://www.caeb.uscourts.gov>. Copies of the Counter-Motion, this notice, the supporting declaration, and other supporting documents may be obtained by contacting the undersigned.

RESPECTFULLY SUBMITTED:

Dated: June 24, 2014

  
Richard A. Ensminger, Debtor-in-possession